

NOTICE OF HEARING

The Zoning Commissioner of Rel-timore County, by authority of the

hearing on the property identified herein in Room 106 of the County-Office Building, located at 111 W. Chesapeake Evenue in Towson, Maryland as follows:

In the event that this Petition is

"DUPLICATE" CERTIFICATE OF PUBLICATION TOWSON, MD., May 11 , 1988 THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of \_\_\_\_\_ successive weeks, the first publication appearing on May 11 , 1988 TOWSON TIMES,

BEFORE THE IN RE: PETITION FOR ZONING VARIANCE NW/corner Joppa Road and DEPUTY ZONING COMMISSIONER Mylander Lane (1300 Joppa Road) OF BALTIMORE COUNTY 9th Election District 4th Councilmanic District Case No. 88-488-A Allied Corp. - Bendix Communications Division . . . . . . . . . . . Petitioner FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit a front yard setback of 15 feet in lieu of the required 25 feet, a west side yard setback of 17 feet in lieu of the required 30 feet, and an east side yard setback of 23 feet in lieu of the required 30 feet, all as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Harold Daniels, its General Foreman and Plant Engineer, appeared, testified, and was represented by Counsel, Robert A. Hoffman, Esquire. Also appearing on behalf of the Petition was David Sunday, with Nolan-Scott, Inc., Contractor. There were no Protestants.

Testimony indicated that the subject property, zoned M.L., is currently improved with various office, manufacturing, and storage buildings. The Petitioner proposes constructing an additional storage facility on the subject property to house office equipment and furniture which has been moved from a building to provide additional space depending on the needs of a particular project. The Petitioner testified that from time to time, it may require more research space than office space and vice versa. In the past, the Petitioner has rented storage space from a local moving and storage company; however, due to the frequency of moving equipment in and out of buildings into storage, the Petitioner feels the need to have storage space directly on the property.

Testimony indicated that in its long history on the property, the Petitioner has never requested a variance and has strictly complied with the zoning regulations in the placement of all other buildings. The testimony presented

Robert A. Hoffman, Esquire

210 Allegheny Avenue

Dear Mr. Hoffman:

AMN:bjs

Enclosures

/ File

cc: Mr. David Sunday

Nolan-Scott, Inc.

People's Counsel

403 Allegheny Avenue, Towson, Md. 21204

Towson, Maryland 21204

Cook, Howard, Downes & Tracy

Case No. 88-488-A

noted in the attached Order.

RE: Petition for Zoning Variance

NW/corner of Joppa Road and Mylander Lane (1300 Joppa Road)

Enclosed please fund the decision rendered on the above-referenced case.

In the event the decision rendered is unfavorable to any party, please

Very truly yours,

ANN M. HASTAROWICZ

of Baltimore County

Deputy Zoning Commissioner

The Petition for Zoning Variance has been Gran d, subject to the restriction

be advised that any party may file an appeal to the County Board of Appeals.

For further information on filing an appeal, please contact this office.

9th Election District; 4th Councilmanic District Allied Corp. - Bendix Communications Div. - Petitioner

tion of other buildings, there is no other suitable location to place the proposed storage facility and strictly comply with the zoning regulations.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the variance requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty upon the Petitioners.

ing on this Petition held, and for the reasons given above, the requested variance should be granted.

day of June, 1988 that the Petition for Zoning Variance to permit a front yard setback of 15 feet in lieu of the required 25 feet, a west side yard setback of 17 feet in lieu of the required 30 feet, and an east side yard setback of 23 feet in lieu of the required 30 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this tire is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

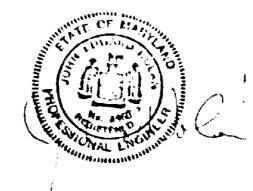
#341

March 11, 1988

ZONING DESCRIPTION 1300 East Joppa Road 12.4812 Acre Parcel

Beginning for the same at a point on the east side of Mylander Lane at the distance of 1045.60 feet measured northerly along the east side of Mylander Lane from its intersection with Joppa Road and running thence from said place of beginning, south 65 degrees 49 minutes 09 seconds east 20.15 feet, thence south 27 degrees 23, minutes 38 seconds east 124.74 feet, thence north 74 degrees 24 minutes 06 seconds east 638.56 feet, thence south 15 degrees 35 minutes up seconds east 038.36 reet, thence south 13 degrees 33 minutes 54 seconds east 19.07 feet, thence north 74 degrees 07 minutes 52 seconds east 135.38 feet, thence north 13 degrees 49 minutes 25 seconds east 124.23 feet, thence north 50 degrees 59 minutes 58 seconds west 93.56 feet, thence north 14 degrees 10 minutes 12 seconds east 632.90 feet, thence easterly by a curve to the right with the radius of 3153.66 feet, the length of 409.91 feet, the chord of said curve being 3 degrees 43 minutes 25 seconds east 409.62 feet, thence north 30 degrees 27 minutes 48 seconds east 1045.60 feet to the place of beginning.

Containing 12.4812 acres of land more or less.



indicates that due to the unique characteristics of this property and the loca-

Pursuant to the advertisement, posting of the property, and public hear-

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore

ANN H. NASTABONICZ Deputy Zoning Commissioner of Haltimore County

> Baltimore County Zoning Commissioner

J. Robert Haines

April 6, 1986

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Verience CASE MUNER: 88-468-A Nel/Cor. Joppe Road and Mylander Road (1300 Joppe Road) 9th Election District - 4th Councilmenic District Petitioner(s): Allied Corporation - Dendix Communications Division HEARING SCHEDULED: WEDNESDAY, JUNE 1, 1985 at 1400 page

west eide yard in lieu of the required 30 foot, and a 23 foot east side yard in lieu of the required 30 foot for the proposed storage facility.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in

Zoning Commissioner of Baltimore County

Rotert A. Hoffman, Esq.

ALLIED Bendix Aerospace

**Bendix Communications Division** 1300 East Joppa Road Baltimore, Maryland 21204

March 8, 1988

Dear Mr. Howard:

210 W. Allegheny Avenue

Cook, Howard, Downs & Tracy

Mr. John B. Howard

Towson, MD 21204

This letter will confirm our need and desire for early completion of a 4,000 sq. ft. storage building at our Joppa Road property.

We are engaged in the design and production of sensitive systems for the National Security Agency under competitive bid contracts. We are in the process of starting several new production programs and urgently need to rearrange our factory operations to accommodate same. We will be faced with extreme hardships if this building is not completed in an appropriate time frame.

We would appreciate anything Baltimore County can do to enable us to move ahead with this building so that we can operate our manufacturing operations in a productive and efficient manner and ship these systems in accordance with our contractual obligations.

Thank you for your help.

Sincerely,

. W. Rodger 🗲 Director of Operations Towson Facility

GWR/cr

cc: W. P. Harokopus

Office of Planning & Zoning Towson, Maryland 21204 494-3353

Variance to permit a 15 foot front yard in lieu of the required 25 foot, a 17 foot

this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES

cc: G. W. Rodgers

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BALDING ADDRESS	1300 E. JOPPA			DATE ISSUED.	FACCINCT		
OWNER'S HAME	ALLIED CORP	BENDIX COMMUNIC	ATIONS	100445 9 6-172-88	16		
AT ING ADDRESS OF OWNER	1300 E. JOPPA RD. TOWSON MD. 21204 C-172-88						
DENTIFICATION				PON MD 2120/1			
EVALUAGE ORIGINAL CONTRACTOR	NOLAN-SCOTT, INC. 403 ALLEGHENY AVE. TOWSON MD. 21204						
BAGASER OR AMCHITECT	JOHN E. NOLAN P.E. 4960						
IF UNDER CONTRACT OF SALES GIVE SELLER'S NAME AND ADDRESS							
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BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 16, 1988

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 Robert A. Hoffman, Esquire 210 Allegheny Avenue Towson, Maryland 21204

RE: Item No. 341 - Case No. 88-488-A Petitioner: Allied Corp. - Bendix Communications Division

Bureau of Engineering Department of

State Roads Commission Bureau of Fire Prevention Health Department Project Planning **Building Department** Board of Education Zoning Administration Industrial Development

Dear Mr. Hoffman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Petition for Zoning Variance

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled acccordingly.

Very truly yours, Chairman Zoning Plans Advisory Committee

JED:dt

Enclosures

cc: Nolan - Scott, Inc. 403 Alleghany Avenue Towson, Maryland 21204

Office of Planning & Zoning Towson, Maryland 21204 494-3353

Date: 5-18.88

Robert A. Hoffman, Esq. 218 Allegheny Avenue Towson, Maryland 21204

Res Petition for Zoning Variance CASE NUMBER: 88-488-A NW/Cor. Joppe Road and Mylander Road (1300 Joppe Road) 9th Election District - 4th Councilmanic District Petitioner(s): Allied Corporation - Bendix Communications HEARING SCHEDULED. WEDNESDAY, JUNE 1, 1988 at 1:00 p.m.

Dear Mr. Hoffmans

Please be advised that \$\frac{\frac{1}{25.50}}{15}\$ is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin

and post set(s), there BALTIMORE COUNTY, MARYLAND for each set not OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 1-01-F12-000 125.50 Jaines ssioner of B B137\*\*\*\* 12550: a 5512F VALIDATION OR SIGNATURE OF CASHIER

The state of the s

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 494-3554

May 6, 1988



Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, idaryland 21204

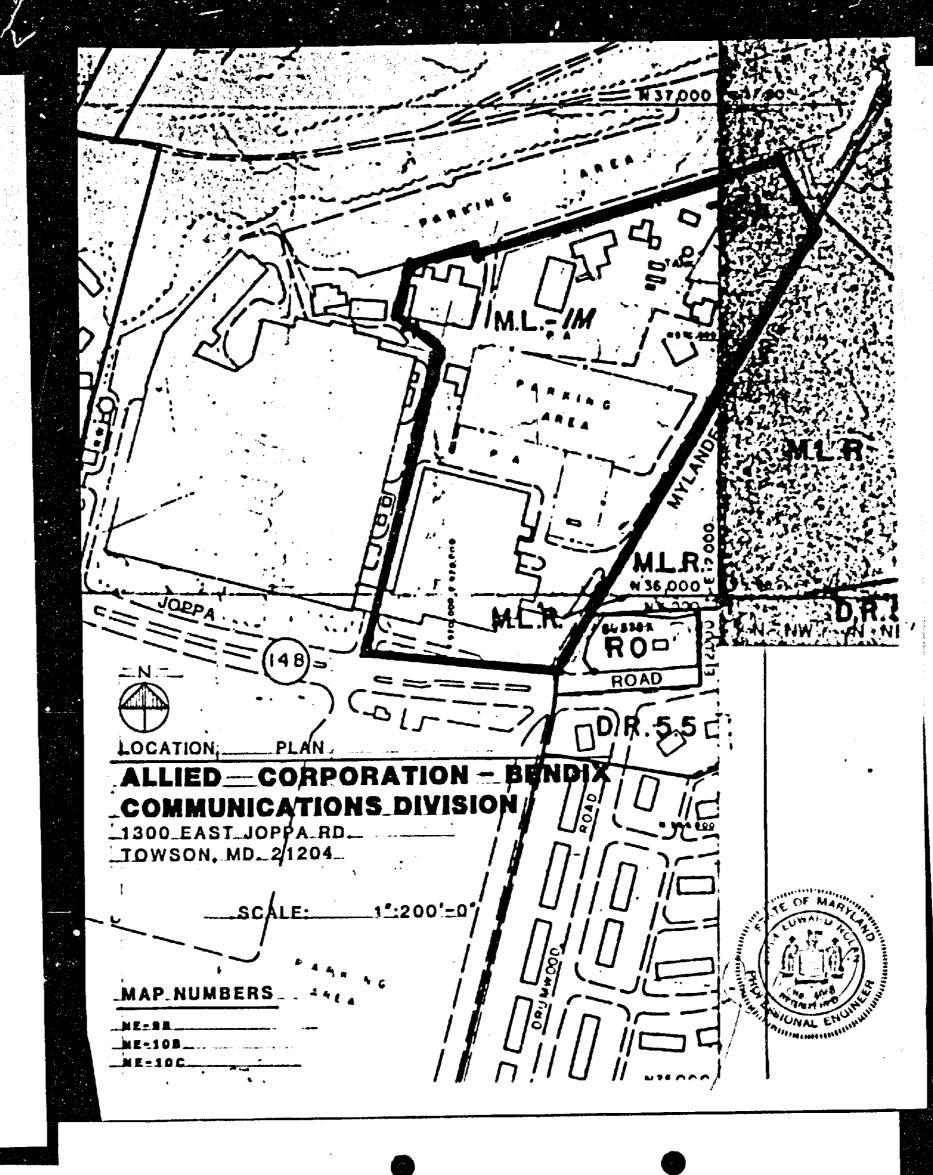
Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 336, 337, 338, 339, 340, 341) 342, 343, 344, 345, 346, and 347.

> Very truly yours, Stephen E. Weber, P.E. Assistant Traffic Engineer

SEW/RF/pm1-b





**Baltimore County** Fire Department Towson, Maryland 21204-2586 494-4500

Paul H. Reincke Chief J. Robert Haines

Zoning Camissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

Re: Property Owner: Allied Corp., Bendix Communications Division

April 5, 1988

Location: NW/corner Joppa Road, and Mylander Lane

Item No.: 341

Zoning Agenda: Meeting of 3/29/88

Contlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and resulted to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at EXCEPDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

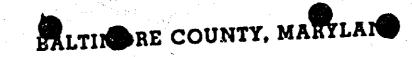
(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Pro-tection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: (a) # 100 A Telly 4-(-15 Approved: Fire Prevention Bureau Special Inspection Division

/jl



INTER-OFFICE CORRESPONDENCE

Zoning Commissioner

P. David Fields, Director
Office of Planning and Zoning

SUBJECT Zoning Petitions #38-480-A, 88-481-A, 88-482-A, 88-483-A, 88-483-A, 88-483-A, 88-483-A, 88-493-A, 88-493-A, 88-495-SpHA, 88-498-A, 88-499-1, 88-500-A, 88-503-A, 88-504-A, 88-505-A

> There are no comprehensive planning factors requiring comments on these petitions.

Office of Planning and Loning

May 16, 1988

PDF/jat

cc: Robert a. Ploffman, Erg. REGETVEN

CPS-008

ROBERT A HOFFMAN

CTRTHIA M HANN

LAW OFFICES COOK, HOWARD, DOWNES & TRACY 210 ALLEGHENY AVENUE PO BOX 5517

JAMES H COOR JOHN & HOWARD DAVID O DOWNES DANIEL OC TRACT, JR JOHN H ZINK I JOSEPH C WICH, JA HENRY B PECK JR HERBERT R O CONOR, M THOMAS L HUDSON C CAREY DEELEY, UR M AING HILL, TE GEORGE K RETHOLDS M

TOWSON, MARYLAND 21204 TELEPHONE (301) 823 4111 TELECOPIER DIRECT DIAL NUMBER

(301) 494-9162

March 23, 1988

AATHLEEN GALLOGLY COR REVIN H SMITH J MICHAEL BREWNAM M BARRITT PETERSON, JIE MATHRYN L MOTE JAMES & MACALISTER REGAN J. B. SMITH JAMES D C DOWNES

JUDITH A ARMOLD

DESCRAH C DOPRIN

J. Robert Haines, Esquire

Zoning Commissioner County Office Building 111 W. Chesapeake Ave. Towson, MD 21204

Re: Petition for Zoning Variance Allied Corp./Bendix Communications Div. (Item No. 341)

Dear Mr. Haines:

This letter is to request an expedited hearing on the referenced Petition, which was filed with the Zoning Office on March 16, 1988. As you know from our meeting on March 9, 1988, Allied/Bendix obtained conditional permits from the Zoning Administrator and is proceeding with construction of a proposed storage facility at its own risk. Therefore, it is very important to the company that variances be obtained as soon as possible.

Your cooperation in scheduling an expedited hearing will be very much appreciated.

> Very truly yours. Robert All Hoffman

MR7-77780 14 1933

ZOIVING UFFICE

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

District 274 Posted for: Verience	Date of Posting 5/13/88
Posted for: VEY107160	
Petitioner: Allis & Corp- Bondie	Communication Division
Location of property: NW/con Feines	+ Mylondon Rd.
1300 Foppa R	4
position of silver racine in torsection a	Lapla & Mylonda & Wiring
Mylonder, Stron. F NIO Fr. Mod way	
Remarks:	
Posted by MISkaly	Date of return: 5/13/85
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Sumber of Signe:	

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION D RESOURCE MANAGEMENT

Zoning	Commissioner	
Office	of Planning and	Zoning
County	Office Building	
T	Manual and 2128/	

Zoning Item # 341, Zoning Advisory Committee Meeting of March 29, 1988

Property Owner: Allied Corp. - Bendix Communications Division

Location: NW/Cor Joppa Rd. and Mylander Lane

District

9

Water Supply \_\_\_ COMMENTS ARE AS FOLLOWS:

( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be aubmitted to the Plans Review Section, Bureau of Regional Community Services, for final review

Sewage Disposal

( Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation/s before work begins. ( ) A permit to construct from the Bureau of Air Quality Management is required for such items as

spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhaunts into the atmosphere.

( ) A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and severage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau

of Regional Community Services, 494-3811. ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health,

( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment. ( ) Prior to razing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.

Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775. ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.

) Soil percolation tests, have been \_\_\_\_\_, must be \_\_\_\_\_, conducted.

( ) The results are valid until

( ) Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.

) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test

) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

) shall be valid until ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples. ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

> BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

LAW OFFICES COOK, HOWARD, DOWNES & TRACY 210 ALLEGHENY AVENUE P.O. BOX 5517

JAMES H. COOK JOHN B. HOWARD DAVID D. DOWNES DANIEL D'C, TRACY, JR. JOHN H. ZINK, 🎞 JOSEPH C. WICH, JR. HENRY B. PECK, JR. HERBERT R. O'CONOR, III THOMAS L HUDSON C. CAREY DEELEY, JR. M. KING HILL, 🎞 GEORGE K. REYNOLDS, 2 ROBERT A. HOFFMAN CYNTHIA M. HAHN

TOWSON, MARYLAND 21204 TELEPHONE (301) 823-4111 TELECOPIER DIRECT DIAL NUMBER

(301) 494-9166

JUDITH A. ARMOLD DEBORAH C. DOPKIN KATHLEEN GALLOGLY COX KEVIN H. SMITH J. MICHAEL BRENNAN H. BARRITT PETERSON, JR KATHRYN L. KOTZ JAMES K. MACALISTER REGAN J. R. SMITH

JAMES D. C. DOWNES

{IBO6-IB76}

March 15, 1988

Mr. James E. Dyer Zoning Administrator County Office Bldg. 111 W. Chesapeake Ave. Towson, MD 21204

> Re: Allied Corp. - Bendix Communications Div. Petition for Variance - Conditional Variance

Dear Mr. Dyer:

This letter is to confirm our understanding of the position of the County Zoning Office, as expressed at meetings between Robert Hoffman and yourself, and between Mr. Hoffman and Zoning Commissioner Haines, on March 9, 1988.

Allied/Bendix has applied for necessary permits to construct a badly-needed storage facility at its property on Mylander Lane in the Towson area. Although Allied/Bendix needs to complete the facility expeditiously in order to satisfy contractual commitments related to the design and production of sensitive systems for the National Security Agency (see attached copy of letter from G. W. Rodgers to John B. Howard, Esq.), the proposed storage facility cannot be located on the property without yard variances. We are herewith submitting a Petition for Variance in this regard.

We understand that you are authorized to release conditional permits to Allied/Bendix pending further required proceedings on the Petition for Variance, as long as Allied/Bendix agrees that it is proceeding with any construction at its own risk and that, if the required yard variances are not ultimately granted, it must return the property to its pre-existing condition and remove any construction at its own sole expense.

Mr. James E. Dyer March 15, 1988 Page Two

We fully understand the County's position and request that you issue conditional permits. We acknowledge that Allied/Bendix is proceeding at its own risk, and Allied/Bendix agrees that it will return the property to its pre-existing condition, at its own sole expense, if it does not ultimately obtain the yard variances it is requesting.

Very truly yours,

. W. Rodgers Director of Operations Towson Facility

Allied Corp., Bendix Communications Div.

JAA:mb Attachment BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this 30th day of March 1988 .

Petitioner Bendix Commications Division by: Robert A. Hoffman

Advisory Committee

